

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL No. 2569 & TITLE - IN RE: Texas Prison Conditions-of-Confinement Cases

NOTICE OF APPEARANCE

Appearances should only be entered in compliance with Rule 4.1(c).

PARTIES REPRESENTED (indicate plaintiff or defendant--attach list if more than one action):

All defendants on Exhibit 1, attached hereto and incorporated herein by reference.

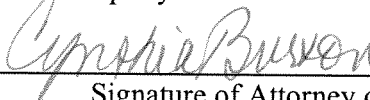
SHORT CASE CAPTION(s) (Include District(s), Civil Action No(s).-- attach list if more than one action):

See Exhibit 1, attached hereto and incorporated herein by reference.

In compliance with **Rule 4.1(c)**, the following designated attorney is authorized to file and receive service of all pleadings, notices, orders, and other papers relating to practice before the Judicial Panel on Multidistrict Litigation on behalf of the plaintiff(s)/ defendant(s) indicated. I am aware that only one attorney can be designated for each party.

July 28, 2014

Date



Signature of Attorney or Designee

Name and Address of Designated Attorney:

Cynthia L. Burton, Law Enforcement Defense Division, P.O. Box 12548, Austin TX 78711-2548

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Instructions:

1. From the JPML home page, download Notice of Appearance. Fill out form and save in .pdf format. (All documents filed with the Judicial Panel must be in PDF Format.) The Appearance Form is to be filed as the main PDF document. Any documents submitted with the Appearance Form are attachments.
2. Select MDL from the menu bar at the top of the ECF screen.
3. Click on Notices. Select the appropriate Notice of Appearance. Select Next.
4. Enter the three or four digit MDL number (ex. 875). Select Next.
5. Verify MDL number, if correct Select Next.
6. Choose the case(s) for which the Appearance is being filed. Select Next.
7. Select Party. Select next twice.
8. Upload the Appearance Form as the Main document and all other documents as attachments. Be sure to choose a category and description. Select the document to which the Appearance relates. (Note: Appearances filed in new litigations will be linked to the initial Motion for Transfer and Appearances filed in transferred litigations should be linked to the Conditional Transfer Order (CTO).)
9. Select the next button and verify docket text. If correct continue to select next to complete the transaction.

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

IN RE TEXAS PRISON HEAT
LITIGATION

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MDL Docket No 2569
Civil Action No. 3:13-cv-283 (S.D. Tex.)

EXHIBIT 1

The undersigned is lead counsel for the Texas Department of Criminal Justice, Brad Livingston, William Stephens, Rick Thaler, Eileen Kennedy, Ernest Gutierrez, Jr., Richard Alford, Jeff Pringle, Richard Clark, Karen Tate, Sandra Sanders, Robert Eason, Tommie Haynes, Robert Leonard, Brandon Matthews, Debra Gilmore, Sarah Raines, Revoyda Dodd, Dennis Miller, Reginald Goings, Todd Foxworth, Lannette Linthicum, Kerry Collard, Matthew Seda, Tully Flowers, Doris Edwards, James Jones, Roberto Herrera, Phyllis McWorther, Roger Pawelek, Ronald Givens, Carole Monroe, Balden Polk and Louis Williams, in the following cases and potential related cases:

Webb, et al. vs. Livingston, et al., No. 6:13-cv-711, Eastern District of Texas, Tyler Division;
Adams, et al. vs. Livingston, et al., No. 6:13-cv-712, Eastern District of Texas, Tyler Division;
and *Togonidze vs. Livingston, et al.*, No. 6:14-cv-93, Eastern District of Texas, Tyler Division
CONSOLIDATED ACTIONS

Freddie Fountain v. Brad Livingston, No. 6:14-cv-268, Eastern District of Texas, Tyler Division
(Potential related action)

McCollum, et al. v. Livingston, et al., No. 3:12-cv-02037, Northern District of Texas, Dallas
Division

Caddell v. Livingston, No. 3:14-cv-2249, Northern District of Texas, Dallas Division

Hinojosa v. Livingston, et al., No. 2:13-cv-319, Southern District of Texas, Corpus Christi
Division

Kirk Davis v. William Stephens, et al., No. 2:14-cv-38, Southern District of Texas, Corpus
Christi Division (Potential related action)

Kearney v. William Stephens, Carole Monroe, No. 2:14-cv-39, Southern District of Texas,
Corpus Christi Division (Potential related action)

Martone v. Livingston, et al., No. 4:13-cv-03369, Southern District of Texas, Houston Division;
and

Bailey v. Livingston et al., No. 4:14-cv-1698, Southern District of Texas, Houston Division

/s/ Cynthia L. Burton

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CERTIFICATE OF SERVICE

I **CYNTHIA L. BURTON**, Assistant Attorney General of Texas, certify that a true and correct copy of the foregoing was served on all counsel of record and pro se parties on July 28, 2014, via e-mail or first-class mail as follows:

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